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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/023,951
Filing Date: December 21, 2001
Appellant(s): OBRADOR ET AL.

James D. Shaurette
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 10/2/2006 appealing from the Office action mailed 3/20/2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 2002/0018124 A1 Mottur et al; USPN 6,172,672 B1 Ramasubramanian et al; USPN 6,591,068 B1 Dietz; US 2002/0024602 A1 Juen; USPN 5,896,171 Suzuki

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1: Claims 1-15, 22, 23, 26, 27, 29-31, 33-35, 37, 39, 42, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0018124 A1 Mottur et al in view of USPN 6,172,672 Ramasubramanian et al.

2: As for Claim 1, Mottur et al depicts in Figures 1 and 3 and teaches on Paragraph [0020] a method for acquiring a streaming video comprising: Connecting a remote device (48) to one or more photo-video acquisition devices (16) individually comprising a camera, wherein the remote device (48) is controlled by the user; using a connected one of the cameras, generating a video of a scene viewed using the respective camera; Acquiring streamed from the one or more photo-video acquisition devices (16); Mottur et al teaches a video distribution system in which users can control cameras connected via a network. Mottur teaches that the cameras can transmit streaming video, compressed, and uncompressed video; Paragraph [0023]. Mottur et al teaches that video can be sent to the users but does not teach that the users can capture a still frame of the video that is being watched and that a high-resolution image of the streaming video can be transmitted upon request.

Ramasubramenian et al teaches on Column 2, Lines 6-10 and on Column 5, Lines 34-44 and in the abstract a method for providing snapshots from a compressed digital video stream over a video distribution system. Ramasubramenian et al teaches that it is advantageous when

transmitting video over a limited bandwidth communication medium to enable users with a snapshot feature that allows a user to specify a desired frame of video data and receive a greater resolution image. Ramasubramenian et al teaches that it is advantageous to allow a user to capture a high-resolution still image because it has higher resolution and quality than the low bandwidth streaming video. Ramasubramenian et al teaches that it is preferable to include a snapshot function because often users like to have the ability review a single frame of video.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the video distribution system of Mottur et al with the snapshot function of Ramasubramenian et al in order to capture a high-resolution still image from the low bandwidth streaming video, since it is preferable to include a snapshot function because often users like to have the ability review a single frame of video.

3: In regards to Claim 2, Mottur et al teaches in Paragraph [0006] the connecting step includes connecting the remote device (48) to the one or more photo-video acquisition devices (16) through a network.

4: As for Claim 3, Mottur et al teaches in Paragraph [0006] the connecting step includes connecting the remote device (48) to the one or more photo-video acquisition devices (16) through a point-to-point connection. A point-to-point connection is viewed by the examiner as a internet or a public or private network connection.

5: In regards to Claim 4, Mottur et al teaches on Paragraph [0049] requesting payment information (account information for pay-per-view access) from a user (48) who wishes to control the one or more photo-video acquisition devices (16); and enabling the user to control the one or more photo-video acquisition devices (16) from the remote device (48).

6: As for Claim 5, Mottur et al teaches on Paragraph [0050] further comprising verifying the payment information submitted by the user before enabling the user to control the one or more photo-video acquisition devices. Mottur et al teaches that camera control intervals can be based on subscriber fees.

7: In regards to Claim 6, Mottur et al teaches on Paragraph [0049] the use of a queue system to allow multiple users (48) to control the one or more photo-video acquisition devices (16).

8: As for Claim 7, Mottur et al teaches on Paragraph [0027], Lines 18-21 that the network includes mass storage devices on a network server (18, 20, and 22) to store the videos and the high resolution photographs.

9: In regards to Claim 8, Ramasubramenian et al teaches on Column 2, Lines 6-10 and on Column 5, Lines 34-44 and in the abstract a method for providing snapshots from a compressed digital video stream over a video distribution system. Therefore, Mottur et al in view of Ramasubramenian et al teaches sending the video and high-resolution photograph to the user (48).

10: As for Claim 9, Mottur et al teaches on Paragraph [0005], Lines 6-8 posting the video on a web page. Furthermore, Ramasubramenian et al teaches on Column 2, Lines 6-10 and on Column 5, Lines 34-44 and in the abstract a method for providing snapshots from a compressed digital video stream over a video distribution system. Ramasubramenian et al teaches that it is preferable to include a snapshot function because often users like to have the ability review a single frame of video.

11: In regards to Claim 10, Mottur et al teaches on Paragraph [0049] requesting payment information (account information for pay-per-view access) from a user (48) who wishes to

download the video and the high-resolution photograph from the web page; and enabling the user (48) to download the video and the high-resolution photograph onto the remote device.

12: As for Claim 11, Mottur et al depicts in Figures 1 and 3 and teaches on Paragraph [0020] a method for acquiring a streaming video comprising: Connecting a remote device (48) to one or more photo-video acquisition devices (16) individually comprising a camera, wherein the remote device (48) is controlled by the user; using a connected one of the cameras, generating a video of a scene viewed using the respective camera; Acquiring streamed from the one or more photo-video acquisition devices (16); Mottur et al teaches a video distribution system in which users can control cameras connected via a network. Mottur teaches that the cameras can transmit streaming video, compressed, and uncompressed video; Paragraph [0023]. Mottur teaches acquiring videos of a live scene as originally viewed in real time for the first time by the remote video cameras. Mottur et al teaches that video can be sent to the users but does not teach that the users can capture a still frame of the video that is being watched and that a high-resolution image of the streaming video can be transmitted upon request by a user.

Ramasubramenian et al teaches on Column 2, Lines 6-10 and on Column 5, Lines 34-44 and in the abstract a method for providing snapshots from a compressed digital video stream over a video distribution system. Ramasubramenian et al teaches that it is advantageous when transmitting video over a limited bandwidth communication medium to enable users with a snapshot feature that allows a user to specify a desired frame of video data and receive a greater resolution image. Ramasubramenian et al teaches that it is advantageous to allow a user to capture a high-resolution still image because it has higher resolution and quality than the low

bandwidth streaming video. Ramasubramenian et al teaches that it is preferable to include a snapshot function because often users like to have the ability review a single frame of video. Ramasubramanian et al further teaches on Column 5, Lines 36-47 that the high resolution photograph "still snapshot" has a resolution greater than a resolution of the video.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the video distribution system of Mottur et al with the snapshot function of Ramasubramenian et al in order to capture a high-resolution still image from the low bandwidth streaming video, since it is preferable to include a snapshot function because often users like to have the ability review a single frame of video.

13: In regards to Claim 12, Mottur et al teaches in Paragraph [0006] the user (48) can control the one or more photo-video acquisition devices (16) from the remote device (48) through the network or other communication channels.

14: As for Claim 13, Mottur et al teaches on Paragraph [0049] the one or more photo-video acquisition devices (16) include a queue system that allows multiple users (48) to control the one or more photo-video acquisition devices (16).

15: In regards to Claim 14, Mottur et al teaches on Paragraph [0027], Lines 18-21 that the network includes mass storage devices on a network server (18, 20, and 22) to store the videos and the high-resolution photographs.

16: As for Claim 15, Mottur et al teaches on Paragraph [0005], Lines 6-8 posting the video on a web page. Furthermore, Ramasubramenian et al teaches on Column 2, Lines 6-10 and on Column 5, Lines 34-44 and in the abstract a method for providing snapshots from a compressed digital video stream over a video distribution system. Ramasubramenian et al teaches that it is

preferable to include a snapshot function because often users like to have the ability review a single frame of video.

17: In regards to Claim 22, Mottur et al teaches on Paragraph [0020] communicating a command from the user (48) to the camera (16); and altering an operation of the camera with respect to the generation of the video responsive to the command. The command is viewed by the examiner as the command sent to control the pan, tilt, and zoom settings of the cameras.

18: As for Claim 23, Mottur et al teaches on Paragraph [0020] providing real-time continuous streaming video and audio data from at least one remote camera system. Furthermore, the systems allows the network users to interactively control the cameras using continuous control methods and systems such as panning and tilting. Therefore, in order to have continuous real-time streaming video and continuous controlling of pan and tilt angles it is inherent that there are two different communications channels to allow the two processes to take place simultaneously. Furthermore, Ramasubramenian et al teaches that the system can transmit both high resolution still images and video. This is viewed as the pipeline configured to transmit both still and motion images. Furthermore, the examiner views the limitation of "using a communications channel that is different" as being broad and does not specify that the two channels are on different physical lines, center frequencies, of time slots.

19: In regards to Claim 26, Mottur et al depicts in Figures 1 and 3 and teaches on Paragraph [0020] a method for acquiring a streaming video comprising: Connecting a remote device (48) to one or more photo-video acquisition devices (16) individually comprising a camera, wherein the remote device (48) is controlled by the user; using a connected one of the cameras, generating a video of a scene viewed using the respective camera; Acquiring streamed from the one or more

photo-video acquisition devices (16); Mottur et al teaches a video distribution system in which users can control cameras connected via a network. Mottur teaches that the cameras can transmit streaming video, compressed, and uncompressed video; Paragraph [0023]. Mottur et al teaches on Paragraph [0020] communicating a command from the user (48) to the camera (16); and altering an operation of the camera with respect to the generation of the video responsive to the command. The command is viewed by the examiner as the command sent to control the pan, tilt, and zoom settings of the cameras. Mottur et al teaches that video can be sent to the users but does not teach that the users can capture a still frame of the video that is being watched and that a high-resolution image of the streaming video can be transmitted upon request by a user.

Ramasubramenian et al teaches on Column 2, Lines 6-10 and on Column 5, Lines 34-44 and in the abstract a method for providing snapshots from a compressed digital video stream over a video distribution system. Ramasubramenian et al teaches that it is advantageous when transmitting video over a limited bandwidth communication medium to enable users with a snapshot feature that allows a user to specify a desired frame of video data and receive a greater resolution image. Ramasubramenian et al teaches that it is advantageous to allow a user to capture a high-resolution still image because it has higher resolution and quality than the low bandwidth streaming video. Ramasubramenian et al teaches that it is preferable to include a snapshot function because often users like to have the ability review a single frame of video.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the video distribution system of Mottur et al with the snapshot function of Ramasubramenian et al in order to capture a high-resolution still image from the low

bandwidth streaming video, since it is preferable to include a snapshot function because often users like to have the ability review a single frame of video.

20: As for Claim 27, Furthermore, Motter et al teaches on Paragraph [0020] that the video provided to the remote user is real-time streaming video. Therefore, the video is not stored before it is transmitted to the user and would be stored for a first time after the image is generated and transmitted to a user.

21: In regards to Claim 29, Mottur et al teaches on Paragraph [0027], Lines 18-21 that the network includes mass storage devices on a web presentation network server (18, 20, and 22) to store the videos. Mottur et al teaches on Paragraph [0005], Lines 6-8 posting the video on a web page. Therefore, Mottur et al teaches a server coupled with the network and configured to host a web page, wherein the server is configured to post the videos using data acquired by one or more photo-video acquisition devices (cameras). Furthermore, Mottur et al teaches on Paragraph [0027 and 0005] downloading the videos to remote devices responsive to a command received from the remote devices. The remote devices are viewed as the remote users.

22: As for Claim 30, Mottur et al depicts in Figures 1 and 3 and teaches on Paragraph [0020] a method for acquiring a streaming video comprising: Connecting a remote device (48) to one or more photo-video acquisition devices (16) individually comprising a camera, wherein the remote device (48) is controlled by the user; using a connected one of the cameras, generating a video of a scene viewed using the respective camera; Acquiring streamed from the one or more photo-video acquisition devices (16); Mottur et al teaches a video distribution system in which users can control cameras connected via a network. Mottur teaches that the cameras can transmit streaming video, compressed, and uncompressed video; Paragraph [0023]. Mottur et al teaches

that video can be sent to the users but does not teach that the users can capture a still frame of the video that is being watched and that a high-resolution image of the streaming video can be transmitted upon request by a user using a joint video and still image pipeline.

Ramasubramenian et al teaches on Column 2, Lines 6-10 and on Column 5, Lines 34-44 and in the abstract a method for providing snapshots from a compressed digital video stream over a video distribution system. Ramasubramenian et al teaches that it is advantageous when transmitting video over a limited bandwidth communication medium to enable users with a snapshot feature that allows a user to specify a desired frame of video data and receive a greater resolution image. Ramasubramenian et al teaches that it is advantageous to allow a user to capture a high-resolution still image because it has higher resolution and quality than the low bandwidth streaming video. Ramasubramenian et al teaches that it is preferable to include a snapshot function because often users like to have the ability review a single frame of video.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the video distribution system of Mottur et al with the snapshot function of Ramasubramenian et al in order to capture a high-resolution still image from the low bandwidth streaming video, since it is preferable to include a snapshot function because often users like to have the ability review a single frame of video.

23: In regards to Claim 31, Mottur et al teaches in Paragraph [0006] the user (48) can control the one or more photo-video acquisition devices (16) from the remote device (48) through the network or other communication channels. Mottur et al teaches on Paragraph [0049] requesting payment information (account information for pay-per-view access) from a user (48) who wishes to control the one or more photo-video acquisition devices (16); and enabling the user to control

the one or more photo-video acquisition devices (16) from the remote device (48). Ramasubramenian et al teaches on Column 2, Lines 6-10 and on Column 5, Lines 34-44 and in the abstract a method for providing snapshots from a compressed digital video stream over a video distribution system. Therefore, Mottur et al in view of Ramasubramenian et al teaches sending the video and high-resolution photograph to the user (48).

24: In regards to Claim 33, Mottur et al teaches the use of sending video to remote users (48) on a network. However, Mottur et al does not teach that the users can be located in their homes.

Official notice is taken that it was well know in the art at the time the invention was made to use personal computers at home in order to give convenience to a user.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the users (48) in the video distribution system of Mottur et al to be located in the users homes, in order to give convenience to the user.

25: As for Claim 34, Mottur et al depicts in Figures 1 and 3 and teaches on Paragraph [0020] an image data communication method comprising: providing a remotely located camera (16); capturing live video data of a scene using the camera (streaming video); coupling a remote device (48) with the camera (16) using a network; communicating captured live video data from the camera (16) to the remote device using the network, wherein the captured live video data has a first resolution; The first resolution is the streaming video resolution. outputting a first command from the remote device (48); the first command is viewed as the command sent by a user to control the pan and tilt of the camera (16). Therefore, altering the capturing of the live video data of the scene using the camera responsive to the first command;

Mottur et al teaches that video can be sent to the users but does not teach that the users can capture a still frame (second command) of the video that is being watched and that a high-resolution image of the streaming video can be transmitted upon request by a user using a joint video and still image pipeline.

Ramasubramenian et al teaches on Column 2, Lines 6-10 and on Column 5, Lines 34-44 and in the abstract a method for providing snapshots from a compressed digital video stream over a video distribution system. Ramasubramenian et al teaches that it is advantageous when transmitting video over a limited bandwidth communication medium to enable users with a snapshot feature that allows a user to specify a desired frame of video data and receive a greater resolution image. Ramasubramenian et al teaches that it is advantageous to allow a user to capture a high-resolution still image because it has higher resolution and quality than the low bandwidth streaming video. Ramasubramenian et al teaches that it is preferable to include a snapshot function because often users like to have the ability review a single frame of video.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the video distribution system of Mottur et al with the snapshot function of Ramasubramenian et al in order to capture a high-resolution still image from the low bandwidth streaming video, since it is preferable to include a snapshot function because often users like to have the ability review a single frame of video.

26: As for Claim 35, Ramasubramanian et al further teaches on Column 5, Lines 36-47 that the high resolution photograph "still snapshot" has a resolution greater than a resolution of the video.

27: In regards to Claim 37, Ramasubramanian et al further teaches on Column 5, Lines 36-47 that the high-resolution photograph "still snapshot" has a resolution greater than a resolution of the video.

28: As for Claim 39, Ramasubramanian et al further teaches on Column 5, Lines 36-47 that the high-resolution photograph "still snapshot" has a resolution greater than a resolution of the video.

29: As for Claim 42, Ramasubramanian et al further teaches on Column 5, Lines 36-47 that the high-resolution photograph "still snapshot" has a resolution greater than a resolution of the video.

30: In regards to Claim 46, Mottur et al depicts in Figures 1 and 3 and teaches on Paragraph [0020] a method for acquiring a streaming video comprising: Connecting a remote device (48) to one or more photo-video acquisition devices (16) individually comprising a camera, wherein the remote device (48) is controlled by the user; using a connected one of the cameras, generating a video of a scene viewed using the respective camera; Acquiring streamed from the one or more photo-video acquisition devices (16); Mottur et al teaches a video distribution system in which users can control cameras connected via a network. Mottur teaches that the cameras can transmit streaming video, compressed, and uncompressed video; Paragraph [0023]. Mottur teaches acquiring videos of a live scene as originally viewed in real time for the first time by the remote video cameras. Mottur et al teaches that video can be sent to the users but does not teach that the users can capture a still frame of the video that is being watched and that a high-resolution image of the streaming video can be transmitted upon request by a user.

Ramasubramenian et al teaches on Column 2, Lines 6-10 and on Column 5, Lines 34-44 and in the abstract a method for providing snapshots from a compressed digital video stream over a video distribution system. Ramasubramenian et al teaches that it is advantageous when transmitting video over a limited bandwidth communication medium to enable users with a snapshot feature that allows a user to specify a desired frame of video data and receive a greater resolution image. Ramasubramenian et al teaches that it is advantageous to allow a user to capture a high-resolution still image because it has higher resolution and quality than the low bandwidth streaming video. Ramasubramenian et al teaches that it is preferable to include a snapshot function because often users like to have the ability review a single frame of video. Ramasubramanian et al further teaches on Column 5, Lines 36-47 that the high resolution photograph "still snapshot" has a resolution greater than a resolution of the video. Furthermore, Ramasubramenian et al teaches on Column 5, Lines 35-44 that the captured still images have a resolution of 640x480 and the real time video has a resolution of 120x120. Therefore, the still images have a higher resolution than the video and is viewed as a high resolution image in comparison to the real-time video.

31: Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0018124 A1 Mottur et al in view of USPN 6,172,672 Ramasubramanian et al in view of USPN 6,591,068 Dietz.

32: As for Claim 32, Mottur et al in view of Ramasubramanian et al teaches the use of capturing a high-resolution image from streaming video and sending the image on the network to remote users (48). Mottur et al in view of Ramasubramanian et al does not teach storing the high-

resolution photograph in a local storage; and printing the high resolution photograph on a printer at home.

Dietz teaches on Column 6, Lines 34-60 the use of a system in which several cameras are connected to a network in which a user at a computer terminal can select images to be printed which were sent to the computer over a network. Dietz teaches that it is advantageous to allow users to print the images on a printer because it allows them to have a hard copy photograph of an event they want to remember.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the user on the system of Mottur et al in view of Ramasubramanian et al to print a selected image on a printer in order to allows them to have a hard copy photograph of an event they want to remember.

33: Claims 38, 40, 41, 43, 44, 47, 48, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0018124 A1 Mottur et al in view of USPN 6,172,672 Ramasubramanian et al in further view of US 2002/0024602 Juen.

34: In regards to Claim 38, Mottur in view of Ramasubramenian et al teaches acquiring a high-resolution still image and generating a low resolution video as viewed in real time using the respective camera. However, Mottur in view of Ramasubramenian et al does not teach the use of using a camera that captured the high resolution still image at the same time the low resolution video is being generated.

Juen teaches on Paragraphs [0037-0040] and depicts in Figure 1 the use of a camera which captures a high resolution video and saves each of the high resolution frames as high-resolution still images. Juen teaches that these high-resolution images are converted to low

resolution images and formed into a video stream. Therefore, it is viewed by the examiner that the process of acquiring a high-resolution image is performed during the generation of the video signal, since both the video images and still images are formed from the same image capture. Juen teaches that this camera is advantageous because it clearly related the still images to the video images.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the electronic camera of Juen in the video distribution system of Mottur in view of Ramasubramenian et al in order to allow a user to acquire a high resolution image of the video image which is better related to the video images.

35: As for Claim 40, Mottur in view of Ramasubramenian et al teaches acquiring a high-resolution still image and generating a low resolution video as viewed in real time using the respective camera. However, Mottur in view of Ramasubramenian et al does not teach the use of using a camera that captures the high resolution still image at the same time the low resolution video is being generated.

Juen teaches on Paragraphs [0037-0040] and depicts in Figure 1 the use of a camera which captures a high resolution video and saves each of the high resolution frames as high-resolution still images. Juen teaches that these high-resolution images are converted to low resolution images and formed into a video stream. Therefore, it is viewed by the examiner that the process of acquiring a high-resolution image is performed during the generation of the video signal, since both the video images and still images are formed from the same image capture. Juen teaches that this camera is advantageous because it clearly related the still images to the

video images. Furthermore, Juen teaches and depicts in Figure 2 that the processing and transmitting of the still image and video image are performed in parallel.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the electronic camera of Juen in the video distribution system of Mottur in view of Ramasubramenian et al in order to allow a user to acquire a high resolution image of the video image which is better related to the video images.

36: As for Claim 41, Mottur in view of Ramasubramenian et al teaches acquiring a high-resolution still image and generating a low resolution video as viewed in real time using the respective camera. However, Mottur in view of Ramasubramenian et al does not teach the use of using a camera that captured the high resolution still image at the same time the low resolution video is being generated.

Juen teaches on Paragraphs [0037-0040] and depicts in Figure 1 the use of a camera which captures a high resolution video and saves each of the high resolution frames as high-resolution still images. Juen teaches that these high-resolution images are converted to low resolution images and formed into a video stream. Therefore, it is viewed by the examiner that the process of acquiring a high-resolution image is performed during the generation of the video signal, since both the video images and still images are formed from the same image capture. Juen teaches that this camera is advantageous because it clearly related the still images to the video images.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the electronic camera of Juen in the video distribution system of

Mottur in view of Ramasubramenian et al in order to allow a user to acquire a high resolution image of the video image which is better related to the video images.

37: In regards to Claim 43, Mottur in view of Ramasubramenian et al teaches acquiring a high-resolution still image and generating a low resolution video as viewed in real time using the respective camera. However, Mottur in view of Ramasubramenian et al does not teach the use of using a camera that captured the high resolution still image at the same time the low resolution video is being generated.

Juen teaches on Paragraphs [0037-0040] and depicts in Figure 1 the use of a camera which captures a high resolution video and saves each of the high resolution frames as high-resolution still images. Juen teaches that these high-resolution images are converted to low resolution images and formed into a video stream. Therefore, it is viewed by the examiner that the process of acquiring a high-resolution image is performed during the generation of the video signal, since both the video images and still images are formed from the same image capture. Juen teaches that this camera is advantageous because it clearly related the still images to the video images.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the electronic camera of Juen in the video distribution system of Mottur in view of Ramasubramenian et al in order to allow a user to acquire a high resolution image of the video image which is better related to the video images.

38: As for Claim 44, Mottur in view of Ramasubramenian et al teaches acquiring a high-resolution still image and generating a low resolution video as viewed in real time using the respective camera. However, Mottur in view of Ramasubramenian et al does not teach the use of

using a camera that captured the high resolution still image at the same time the low resolution video is being generated.

Juen teaches on Paragraphs [0037-0040] and depicts in Figure 1 the use of a camera which captures a high resolution video and saves each of the high resolution frames as high-resolution still images. Juen teaches that these high-resolution images are converted to low resolution images and formed into a video stream. Therefore, it is viewed by the examiner that the process of acquiring a high-resolution image is performed during the generation of the video signal, since both the video images and still images are formed from the same image capture. Juen teaches that this camera is advantageous because it clearly related the still images to the video images.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the electronic camera of Juen in the video distribution system of Mottur in view of Ramasubramenian et al in order to allow a user to acquire a high resolution image of the video image which is better related to the video images.

39: In regards to Claim 47, Mottur in view of Ramasubramenian et al teaches acquiring a high-resolution still image and generating a low resolution video as viewed in real time using the respective camera. However, Mottur in view of Ramasubramenian et al does not teach the use of using a camera that captured the high resolution still image at the same time the low resolution video is being generated.

Juen teaches on Paragraphs [0037-0040] and depicts in Figure 1 the use of a camera which captures a high resolution video and saves each of the high resolution frames as high-resolution still images. Juen teaches that these high-resolution images are converted to low

resolution images and formed into a video stream. Therefore, it is viewed by the examiner that the process of acquiring a high-resolution image is performed during the generation of the video signal, since both the video images and still images are formed from the same image capture. Juen teaches that this camera is advantageous because it clearly related the still images to the video images.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the electronic camera of Juen in the video distribution system of Mottur in view of Ramasubramenian et al in order to allow a user to acquire a high resolution image of the video image which is better related to the video images.

40: As for Claim 48, Mottur in view of Ramasubramenian et al teaches acquiring a high-resolution still image and generating a low resolution video as viewed in real time using the respective camera. However, Mottur in view of Ramasubramenian et al does not teach the use of using a camera that captured the high resolution still image at the same time the low resolution video is being generated.

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41: In regards to Claim 49, Mottur in view of Ramasubramenian et al teaches acquiring a high-resolution still image and generating a low resolution video as viewed in real time using the respective camera. However, Mottur in view of Ramasubramenian et al does not teach the use of using a camera that captured the high resolution still image at the same time the low resolution video is being generated.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the electronic camera of Juen in the video distribution system of Mottur in view of Ramasubramenian et al in order to allow a user to acquire a high resolution image of the video image which is better related to the video images.

42: Claims 36 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0018124 A1 Mottur et al in view of USPN 6,172,672 Ramasubramanian et al in further view of USPN 5,896,171 Suzuki

43: In regards to Claim 36, Motter et al in view of Ramasubramanian et al teaches the use of a camera control system which allows a user to simultaneously control camera characteristics such as pan and tilt and at the same time simultaneously with a transition of a video stream. However, Motter et al in view of Ramasubramanian et al is silent as to if the wire used to transmit the video and still images is separate from a wire used to communicate the control commands.

Suzuki teaches on Column 5, Lines 1-14 that it is advantageous to use two different physical medium (wires) to communicate video and control commands in order to prevent cross talk between the video signal and the control signals in order to improve image quality.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to construct the system of Motter et al in view of Ramasubramanian et al to have two different wires as taught by Suzuki so that the control signals and video signals can be transmitted on different lines in order to prevent cross talk between the video signal and the control signals in order to improve image quality.

44: As for Claim 45, Furthermore, Mottur et al teaches on Paragraph [0020] providing real-time continuous streaming video and audio data from at least one remote camera system. Furthermore, the systems allows the network users to interactively control the cameras using continuous control methods and systems such as panning and tilting. Therefore, in order to have continuous real-time streaming video and continuous controlling of pan and tilt angles it is

inherent that there are two different communications channels to allow the two processes to take place simultaneously. This requires the different physical media of the communications channel and the pipeline to simultaneously communicate different respective electrical signals.

(10) Response to Argument

The appellant argues that there is insufficient motivation to combine the teachings of Ramsubramanian with the teachings of Mottur. Specifically, the appellant argues that Ramsubramanian is concerned with providing a still image of a video stream that is of a low quality. Furthermore, the appellant argues that Mottur only transmits high resolution video and is not concerned with providing a higher quality image since the video is always transmitted in uncompressed high-resolution video. The examiner disagrees with this characterization of Mottur. Specifically, Mottur does not teach that the video is always transmitted in high resolution uncompressed video. Mottur teaches on Paragraph [0023] that the communications method of providing the video to the remote users can be transmitted using several different communications formats including compressed, uncompressed video in a standard or High-definition format. Furthermore, Mottur teaches the format can be dependent on the type of transmission medium specifically discussing transmission over a telephone line and a cable line. Therefore, one of ordinary skill in the art practicing the invention of Mottur would need to be concerned with the limitations associated with communicating over these different types of communications mediums. Furthermore, one of ordinary skill in the art practicing the Mottur invention over a telephone line would look to Ramsubramanian to improve communications over a low bandwidth communications line such as a telephone line as discussed in Mottur. Ramsubramanian clearly states on Column 2, Lines 33-40 that "it is clearly desirable to provide

a mechanism that allows a user to obtain a snapshot of a video image, where the snapshot has a size and quality that is not dictated by the bandwidth between the video server and the client".

Therefore, the examiner asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Mottur which can communicate over a telephone line (which is inherently a low bandwidth communications line limited to 56 kbps) with the mechanism that allows a user to obtain a snapshot of a video image, where the snapshot has a size and quality that is not dictated be the bandwidth between the video server as taught by Ramsubramanian in order to allow a user of Mottur to receive a snapshot of the video that a size and quality that is not dictated be the bandwidth between the video server.

The Appellant argues that the prior art does not teach generating a video of a scene using a camera, acquiring high resolution photograph using the video streamed from the camera as a view-finder. The appellant argues that this limitation is not met since Mottur teaches the use of receiving video from a camera and the invention of Ramsubramanian only teaches sending video that is played back from a previously stored video file 104 and fails to disclose or suggest a camera which generates video. Therefore, the Appellant concludes that the combination can not teach the claimed limitation since the video in Ramsubramanian is only transmitted after it is previously generated and stored.

The examiner disagrees with the appellant and asserts that Ramsubramanian clearly teaches on Column 3, lines 40-48 and on Column 1, lines 10-30 that the system can be implemented on a real-time delivery system or in a precompressed delivery system. The examiner asserts that it is notoriously well known that real-time delivery of video is live delivery. Therefore, Ramsubramanian teaches the transmission of live video. Furthermore, Since the video

in Ramsubramanian can be transmitted in real-time (live), the video must be generated using a video camera and does not originate from a pre-recorded video on a video server.

The appellant argues that there is insufficient motivation to combined the teachings of Mottur and Ramsubramanian with Suzuki. The appellant asserts that the appellants have electronically searched Mottur and Ramsubramanian and have failed to uncover any reference to cross talk or that such references suffer from problems related to cross talk. The examiner points out that the motivation to combine the teachings of Suzuki with the combination of Mottur and Ramsubramanian is contained in the secondary reference of Suzuki. Furthermore, it is clearly stated on Column 5, Lines 1-14 of Suzuki that it is advantageous when transmitting both camera control data and video as in the invention of Mottur to have the video transmitted on an exclusive use cable different from the cable that carries the control data in order to decrease cross talk and improve the video signal.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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